

AGENDA ITEM #10

March 15, 2003

To: Delta Protection Commission

From: Margit Aramburu

Subject: SB 86, Delta Conservancy Legislation (Senator Machado)
(For Public Hearing and Commission Consideration and Possible Action)

BACKGROUND:

During the last Legislative session, Senator Machado presented drafted legislation to create a new State agency--the Delta Conservancy. He asked for comments to improve the draft legislation and has asked for broad support for the legislation. After a public hearing at the March 2002 Delta Protection Commission meeting, Senator Machado revised the legislation.

The legislation was amended to:

- Create a new Delta Conservancy *Program* administered by the existing Coastal Conservancy; with no new agency. There is a similar Conservancy Program for the San Francisco Bay Area.
- Refer proposed projects to the Delta Protection Commission for determination of consistency with the Commission's adopted Land Use and Resource Management Plan for the Primary Zone of the Delta.

The Commission reviewed the revised legislation in July 2002 and voted to support the draft legislation if certain changes were made. A copy of the letter sent to Senator Machado summarized the Commission's position is attached.

The legislation was amended but did not pass out of the Legislature.

NEW LEGISLATION:

Senator Machado has submitted a new bill, SB 86 (text attached) which is the same as the amended legislation considered in the last session.

PROPOSED COMMISSION ACTION:

The purpose of the agenda item is to reintroduce the legislation to the Commission, allow the Commission to discuss the proposed legislation and, if appropriate, submit comments

to the Senator to consider as he discusses the proposal with other interested parties and the Legislature holds Committee hearings.

The Senator has asked that the Commission refrain from taking a formal position on the bill at this time; the Senator expects to return at the May Commission meeting and seek Commission support of the bill.

WHAT IS THE AREA OF INTEREST/CONCERN?

The legislation applies to the Legal Delta and the City of Rio Vista.

WHAT WOULD THE DELTA CONSERVANCY PROGRAM DO?

Grants and/or loans would be available to public agencies, nonprofit organizations, and private entities to:

1. Implement the Commission's adopted Land Use Plan.
2. Promote farming that integrates agricultural activities with environmental protection and sustains the economics of the region through: wildlife-friendly farming practices, implementation of innovative farming technology, improvement of water quality and water usability, enhancement of habitat, integrated pest management practices, and other approaches.
3. Protect farmland.
4. Restore, enhance, and protect open space and natural areas
5. Promote compatibility of agriculture and other private land uses with low-impact public access, recreation and education uses and wildlife protection.
6. Implement local government and special district plans that are consistent with policies, programs and plans of the Commission.
7. Collaborate with public or private entities and individuals that support the economy of the communities and rural areas of the Delta, including urban waterfronts.
8. Provide public access and recreation opportunities.

HOW WOULD THE DELTA CONSERVANCY PROGRAM BE FUNDED?

There is no funding attached to the legislation. Other conservancies have base funding from General Fund, or other funds, and receive implementation funds from bonds.

BILL SUPPORTERS:

Planning and Conservation League

BILL OPPONENTS:

None